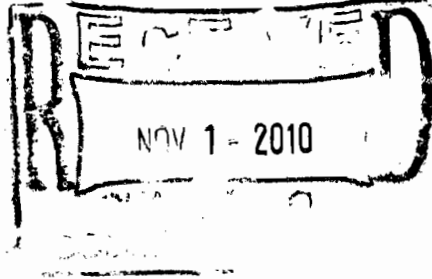




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November 1, 2010

**BY FACSIMILE**

Honorable Colleen McMahon  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

11/2/2010  
Come tomorrow  
at 9:30am  
Colleen McMahon

**Re: Moises Mendez v. Starwood Hotels & Resorts Worldwide, Inc.,  
No. 08 Civ. 4967 (CM)**

Dear Judge McMahon:

As Your Honor is aware, we represent Plaintiff Moises Mendez ("Mr. Mendez") in the above-referenced matter.

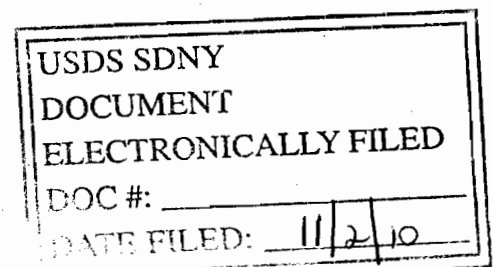
I write to respectfully request an *ex parte* appearance before Your Honor, with Mr. Mendez and myself, to address a matter that has arisen between us concerning our status as his counsel. This issue has no bearing on the merits of Mr. Mendez's claims in this action, nor does it in any way implicate the interests of Defendant or its counsel, who has consented to our anticipated request for an *ex parte* conference on this basis.

To the extent that Your Honor would permit Mr. Mendez and myself to appear to address this matter with the Court, we would respectfully request that the appearance be scheduled in the morning or early afternoon to enable Mr. Mendez to timely arrive for his 3:00pm shift at the Westin Hotel, where he continues to work as a Baker.

Thank you very much for Your Honor's consideration of this request.

Respectfully submitted,

Kenneth P. Thompson



**Thompson Wigdor & Gilly LLP** ATTORNEYS AND COUNSELORS AT LAW

Honorable Colleen McMahon  
November 1, 2010  
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cc: Mr. Moises Mendez (*by hand and First Class Mail*)  
Ari Y. Graff, Esq. (*by email*)  
Michael Starr, Esq.  
Loren Forrest, Esq. (*by email*)